

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Criminal Application No. 1579/2007

B. N. Lalikar (Gaikwad) Divisional Controller & Ors.
Vs.
Presiding Officer Labour Court Akola

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders or
directions and Registrar's orders.

Court's or Judge's Orders

Mr. Wankhede, Advocate for applicant.
Mr. Thakre, APP for State.

Coram: C. L. PANGARKAR J.
Dated : 27th August 2007

This is an application for restoration of the application filed under Section 482 of the Criminal Procedure Code.

Application under Section 482 Criminal Procedure Code came to be dismissed since none appeared for the applicant. It came to be dismissed on 07.06.07. This restoration application has been filed on 08.06.07 i.e. immediately on the next day. It is contended by

the applicant himself that he could not appear because of the fact that through inadvertence he could not mark the case on 7th.

The application is opposed by the otherside and the other side has relied on a decision reported in *Damodar Sadashiv Agre Vs. K. K. Prasad and Others* 2006(2) *Maharashtra Law Journal* 256. Ruling cited above has no bearing in the case at hand since it is a decision rendered as with regard to the power of the Court to restore the application for contempt. The original application in this case was not for contempt but for quashing the order passed by the lower Court. In view of this and for the reasons stated in the application the application stands restored to file. None appears for the respondent.

Judge.

svk